

Investment Companies

looks in the direction of the Chair with his customary quizzical glance and I assume he would like an opportunity to participate in the debate; therefore, I will recognize him.

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, I do not know how we can set aside this particular rule requiring notice of the recommendation because, after all, the rules govern how we are to conduct our business. If there had not been 48 hours notice we could not proceed, and it is just as important to have the recommendation in *Votes and Proceedings* as it is to have a copy of the bill itself. That recommendation goes to the heart of the bill.

I was concerned in rulings given in this House just the other day when certain amendments were brought forward to a bill and they were not included in the recommendation concerning the bill. It is here that the recommendation controls the ambit of the bill and it seems to me just as important to have the recommendation in *Votes and Proceedings* as it is to have it in the bill.

[*Translation*]

Mr. André Fortin (Loitbinière): Mr. Speaker, Standing Order 62 (2) is self-explanatory and reads as follows:

The message and recommendation of the Governor General in relation to any bill for the appropriation of any part of the public revenue or of any tax or impost shall be printed on the Notice Paper and in the *Votes and Proceedings* when any such measure is to be introduced and the text of such recommendation shall be printed with or annexed to every such bill.

Mr. Speaker, it does seem that this text contains no ambiguity, whereas the arguments put forward by the President of the Privy Council are ambiguous and offer nothing new.

I feel that the case made by the hon. member for Peace River (Mr. Baldwin) is logical, for his point of order emphasizes that, in his opinion, Bill C-179 is contrary to the provisions of Standing Order 62 (2).

As for us, from the Ralliement créditiste, we do not want to delay the debate or to influence your decision. We just want to abide by your good judgment, Mr. Speaker, while hoping that you will as usual apply the spirit as well as the letter of the Standing Orders.

[*English*]

Mr. Speaker: I thank hon. members for the views they have expressed on the very important and interesting point of order raised by

[Mr. Speaker.]

the hon. member for Peace River (Mr. Baldwin). I should say at the outset that the Chair agrees that the requirements of the Standing Order have not been followed. As hon. members have mentioned, Standing Order 62(2) requires:

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It is obvious that it was not published in the *Votes and Proceedings* which I have before me. For the record I wish to point out that this is not an error on the part of the President of the Privy Council (Mr. Macdonald), and that the officials of the Chair and of the table recognize that this is an error on their part. We take the liberty of considering it a clerical error. I realize it is perhaps more than that. It is obviously a procedural mistake; but we have to take the responsibility, entirely and exclusively, for the fact that the recommendation was not published, as it should have been published, in the *Votes and Proceedings* of this House.

This having been said, I go back to the argument proposed by the hon. member for Peace River who referred to the fact that the recommendation of His Excellency is required. I have before me the original submission which came from the office of the President of the Privy Council, which does include with the draft bill the recommendation of his Excellency the Governor General recommending to this House the measure which is now before us for consideration. That is the constitutional requirement. So I suggest that if there is a point before us now, it is a procedural point of order and the suggestion that the adoption of this bill would not be constitutional, or would in some way be illegal, is not correct. The hon. member for Winnipeg North Centre (Mr. Knowles) suggested that any procedural difficulty, any procedural mistake, would be corrected by the passing of the bill, and he is obviously right.

● (3:50 p.m.)

All this having been said, I recognize that an error has been made, that we have not published the recommendation in *Votes and Proceedings* as should have been done. In view of the fact that this is basically a procedural difficulty, I suggest that it can be cured by the